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## EVALUATOR MANUAL TRANSMITTAL SHEET

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<b><u>Distribution:</u></b>  <input checked="" type="checkbox"/> All Child Care Evaluator Manual Holders <input type="checkbox"/> All Residential Care Evaluator Manual Holders <input type="checkbox"/> All Evaluator Manual Holders	<b><u>Transmittal No.</u></b> 06APX-04
	<b><u>Date Issued</u></b>  February 2006

**Subject:**

2005 Chaptered Legislation  
Appendix A – Child Care Centers and Family Child Care Homes

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**Reason For Change:**

This transmits summaries of legislation chaptered in 2005 affecting Child Care Centers and Family Child Care Homes. The summaries are divided into two sections as follows:

1. Immediate Action Required – Interim instructions are provided.
2. Information Only – No action required by CCLD.

An index is attached to assist staff in locating specific bills. Statutes referenced in this document became operative on January 1, 2006, unless specified otherwise.

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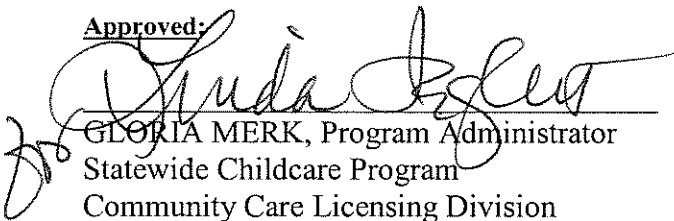
**Filing Instructions:**

REMOVE –

INSERT – the attached pages into Appendix A. Do not remove similar documents from the previous years.

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**Approved:**

  
GLORIA MERK, Program Administrator  
Statewide Childcare Program  
Community Care Licensing Division

2-6-06  
Date

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# **SUMMARY AND IMPLEMENTATION PLANS 2005 CHAPTERED LEGISLATION**

## **CHILD CARE CENTERS AND FAMILY CHILD CARE HOMES**

<b><u>BILL NUMBER</u></b>	<b><u>SUBJECT</u></b>	<b><u>Page</u></b>
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### ***ACTION REQUIRED***

**NO LEGISLATION REQUIRING ACTION AT THIS TIME**

### ***INFORMATION ONLY – NO ACTION REQUIRED***

SB 512, Senate Education Committee	Department of Education Annual “Clean-Up” Bill Correcting Technical Errors in Statute, Updating Cross-References and Deleting Obsolete References	2
SB 640, Escutia	Funding for Children with Disabilities	3
SB 707, Kehoe	Before and After School Programs	4

<p><b>Unless otherwise noted, all new legislation becomes effective on January 1, 2006. When conducting visits, LPAs should ensure that providers are aware of any new requirements.</b></p>
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## **ACTION REQUIRED**

NO LEGISLATION REQUIRING ACTION AT THIS TIME

## **INFORMATION ONLY – NO ACTION REQUIRED**

### **SB 512, (Senate Education Committee), Chapter 677, Statutes of 2005**

**Affects:** Child Care Resource and Referral Networks

**Subject:** Child Care and Development Services Act

**Summary:** SB 512 is the California Department of Education (CDE) annual “clean-up” bill to correct technical errors in statute, update cross-references, and to delete obsolete references. This bill makes a number of non-controversial, conforming, and technical changes to various education statutes. *SB 512 contains an urgency clause and became effective upon being approved October 7, 2005.*

The primary function of this bill does not deal with licensing issues. SB 512 cleans up existing sections of the Education Code, identifies and clarifies the full range of existing child care Resource and Referral (R&R) Programs established to serve a defined geographic area and provides identification of the full range of child care services through information provided by all relevant public and private agencies.

R&Rs are required to develop and maintain a resource file of child care services, including but not limited to, family child care homes, public and private day care programs, full-time and part-time programs serving infants, preschoolers, and extended day care programs. R&Rs are further required to develop a referral process that responds to parental need for maximum access to referral information with full confidentiality rights for parents.

Additionally, programs operating pursuant to this article are required within two business days of being notified of a revocation or a temporary suspension order of a licensed child day care facility, or issuance of a probation license, to do the following:

- Terminate payment to the facility
- Notify each parent and the facility, in writing, that payment has been terminated and the reason for the termination
- Provide written notice to each parent, when their child’s care facility has been placed on probation, indicating that the parent has the option to select another provider or remain with the facility without risk of subsidy payments to the provider being terminated.

The Legislature urges each agency to provide the written notice required by this article in the primary language of the parent to the extent feasible.

## INFORMATION ONLY – NO ACTION REQUIRED

### SB 640, (Escutia), Chapter 379, Statutes of 2005

**Affects:** Child Care Resource and Referral (R&R) Networks

**Subject:** Funding for Children with Disabilities

**Summary:** Beginning with the 2005-06 fiscal year, until exhausted, SB 640 allocates \$5 million to CDE for funding child care R&R programs for certain activities related to child care and developmental services for children with disabilities. CDE is required to develop an allocation plan to distribute funds appropriated by using the ratio of the number of children ages birth to 13 years, inclusive, in the state (except in Orange, Sutter, and Yuba Counties where the funding shall be allocated to the local planning council.) The plan is required to include continuation of services for the purpose of increasing the capacity of state subsidized and non state subsidized child care providers to serve children with disabilities in child care settings that meet their developmental needs, consistent with the intent of the Child Care and Development Services Act of the Education Code.

An R&R agency may expend granted funds for the following:

- ☆ Provide enhanced child care referrals, and parental support, to parents seeking child care for their children with disabilities, or are at high risk of being identified as having a disability.
- ☆ Provide training and technical assistance to child care and development providers to increase their capacity to care for children with disabilities, or are at high risk of being identified as having a disability.
- ☆ Conduct awareness and outreach to child care and development providers to increase their knowledge and understanding of the Americans with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA), and to increase their awareness of available support services to assist them in meeting the needs of all children.
- ☆ To conduct awareness and outreach to parents of children with disabilities, or at high risk of being identified as having a disability, to increase their understanding of their rights to accessible child care and to increase their awareness of available services.

State funded child care R&R programs, or the local planning council in Orange, Sutter, or Yuba County, shall submit a proposal for approval to the CDE for the use of the funds, based on identified community needs and include a plan on how it will be achieved at the local level.

The CDE, in coordination with the California Child Care R&R Network, shall develop a uniform reporting process for a state-funded child care R&R program or local planning council that receives funds pursuant to this section, to submit a one-time report on the use and effectiveness of those funds.

## INFORMATION ONLY – NO ACTION REQUIRED

### SB 707 (Kehoe), Chapter 553, Statutes of 2005

**Affects:** Before and After School Programs

**Subject:** Attendance Requirements and Funding

**Summary:** SB 707 amends the Education Code to provide greater flexibility for After School Education and Safety Programs (ASESP). These facilities continue to be license-exempt. Specifically, this bill does the following:

- Provides authorization to shift program funds to other ASEP sites to meet attendance targets during times of a natural disaster, civil unrest, or imminent danger to pupils or staff.
- Authorizes CDE and the State Board of Education (SBE) to approve a request by an operator for payment equal to the amount of funding the operator would have received if they had been able to operate its entire program when the operator is temporarily prevented from operating.
- Authorizes the SBE to approve other unforeseen events as qualifying a program operator to use the authority granted above.
- Eases requirements for hours of operation of ASEP
- Requires a pupil to attend at least half of the daily program hours in order to generate funding.
- Deletes the requirement that a student participate in the before school component for at least 90 minutes per day to generate funding.
- Authorizes CDE to reimburse a program operator for up to 125 percent of the maximum total grant amount for an individual as long as the maximum total grant amount for all programs administered by the operator is not exceeded.
- Specifies that a program operator that transfers to administer an ASEP must have an established waiting list for enrollment and may transfer only from another school program that has met a minimum of 70 percent of its attendance goal.
- Delinks funding for administrative costs from one student attendance, whereby programs would continue to be allowed to use up to 15 percent of funding on administrative costs but that funding will no longer be required to be "earned" by attendance.